

AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE
COUNTY OF DURHAM AND THE CITY OF DURHAM TO CONTRACT FOR A
DISPARITY STUDY OF CONTRACTING AND PROCUREMENT PROCEDURES

This amendment ("Amendment") is made, dated, and entered into as of the _____ day of _____ 2013, between the County of Durham, a political subdivision of the State of North Carolina, hereinafter referred to as the "County" and the City of Durham, a North Carolina municipal corporation, hereinafter referred to as the "City". The County and City shall be collectively referred to as the "parties."

The City and County entered into an agreement titled "Interlocal Cooperation Agreement between the County of Durham and the City of Durham to Contract for a Disparity Study of Contracting and Procurement Procedures" dated April 15, 2013. That agreement is referred to as the "Original Agreement." The Original Agreement is hereby amended as follows:

1. Delete paragraph 5.(A) "APPORTIONMENT." of the Original Agreement in its entirety and replace with the following

A. APPORTIONMENT: If the County successfully enters into the Disparity Study Contract with the Preferred Consultant approved by the City, the County and City shall equally share (50/50) in the costs and expenses of the Disparity Study Contract up to a total maximum contract amount of \$300,000. If the City and County agree on the contract apportionment pursuant to this section 5(A), the City shall deposit with the County the City's budgetary contribution to the Disparity Study Contract prior to the County's execution of the Disparity Contract in an amount equal to one half the amount for the contract, but not to exceed \$150,000 subject to section 5(D).

2. Add the following paragraph after Section 5(C):

D. CREDIT TO CITY FOR PRIOR PAYMENTS: The parties acknowledge that, at the request of the County, the City made a premature payment to the County pursuant to section 3(C) of the Original Agreement. Accordingly, the City apportionment obligation pursuant to section 5(A) above shall be reduced by such payment in the amount of \$130.76.

*Amendment to Interlocal Cooperation Agreement to Contract for a Disparity Study of Contracting and Procurement
Procedures between the County of Durham and the City of Durham*

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed on the day and year first above written, in their respective names by their proper officials of each of the taxing units.

ATTEST:

CITY CLERK

CITY OF DURHAM

BY: _____
CITY MANAGER

ATTEST:

COUNTY OF DURHAM

BY _____